

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
IDS PROPERTY CASUALTY INSURANCE COMPANY,

Plaintiff,

-against-

MARK BURTON and DENNIS T. FENNEL,

Defendants.

STIPULATION OF  
DISCONTINUANCE  
WITH PREJUDICE ✓

Case No.: 11-CV-0026 (ER) ✓

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, the attorneys of record for all the parties to the above-entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and/or conservator and no person not a party has an interest in the subject matter of the action, the above-entitled action, including all claims and counterclaims asserted herein, be, and the same hereby is, discontinued, with prejudice, and without costs as against any party. This stipulation may be filed without further notice with the Clerk of the Court. ✓

Facsimile signatures herein shall have the same force and effect as original signatures.

Dated: New York, New York  
November 13, 2012

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Our File No.: 618-16883

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\*Defendant DENNIS T. FENNEL never appeared in this action and a partial default judgment was entered against him on July 26, 2011 (a copy of the aforesaid partial default judgment is attached).

*So Ordered:*

*Edgardo Ramos*

Dated: November 26, 2012 ✓

White Plains, N.Y.

USDC SDNY  
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